

111TH CONGRESS  
1ST SESSION

# H. R. 1366

To protect innocent parties from certain fees imposed by depository institutions for dishonored checks, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2009

Mr. WEINER introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To protect innocent parties from certain fees imposed by depository institutions for dishonored checks, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Innocent Check De-  
5       positor Protection Act”.

6       **SEC. 2. CERTAIN CHECK DISHONORMENT FEES PROHIB-**  
7       **ITED.**

8       (a) IN GENERAL.—Section 607 of the Expedited  
9       Funds Availability Act (12 U.S.C. 4006) (relating to mis-

1 cellaneous provisions) is amended by adding at the end  
2 the following new subsection:

3 “(f) FEES ON DISHONORED CHECKS.—

4 “(1) RECEIVING DEPOSITORY INSTITUTION.—In  
5 the case of a check drawn on an account at an origi-  
6 nating institution which is dishonored by the origi-  
7 nating institution due to the lack of sufficient funds  
8 in such account to pay the check, a receiving deposi-  
9 tory institution may not impose any fee on the de-  
10 positor, in connection with such check, due to such  
11 dishonormment.

12 “(2) RULE OF CONSTRUCTION.—No provision  
13 of this section shall be construed as affecting any in-  
14 tervening depository institution or the costs of the  
15 services provided by such depository institution.”.

16 (b) EFFECTIVE DATE.—The amendment made by  
17 this section shall apply after the end of the 180-day period  
18 beginning on the date of the enactment of this Act.

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